

REMARKS

Entry of this amendment with allowance is requested.

Claim 1 has been amended to obviate the basis for the Examiner's Section 112 rejections. Thus, with respect to the Section 112, 1st ¶ rejection of claims 1-9, 15 and 16, reference to "preventing diarrhoea in young mammals" has been deleted from claim 1. This amendment should effectively eliminate not only the Examiner's Section 112, 1st ¶ rejection but also the Section 112, 2nd ¶ rejection of claims 1, 3-9 and 15, as set out in ¶s 5 and 6 of the action. Accordingly, reconsideration and withdrawal of the Section 112 rejections is requested.

The Examiner is also requested to reconsider the Section 102(b) rejection of claims 10-12 as anticipated by U.S. 6,149,961, in view of the amendments made herein to claim 10. In particular, claim 10 has been amended to include the features of claim 13 which has been indicated to be allowable (¶ 8 of the action). Accordingly, claim 10 should be allowable.

Claims 11-13 have been canceled in view of the amendment of claim 10.

The Examiner has indicated that claims 1-9, 15 and 16 would be allowable if drawn to treating diarrhoea rather than preventing diarrhoea and if amended to overcome the Section 112, 2nd ¶ rejection.


Appropriate amendment having been made, claims 1-9, 15 and 16 are thought to be allowable.

The applicants reserve their right to file a continuation on subject matter deleted from the present claims as amended, particularly with respect to the prevention of diarrhoea.

All claims in the case, as amended, are believed to be allowable. Accordingly, entry of this amendment and allowance are requested.

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By 
Paul N. Kokulis
Reg. No. 16773

Date: November 16, 2005
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Facsimile: (202) 739-3001
Direct: (202) 739-5455